

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

VIRGINIA BEACH MUSIC, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
MONTGOMERY MAULERS, LLC, et al.	)	CIVIL ACTION NUMBER:
	)	2:06-cv-90-WKW
Defendants.	)	
	)	
	)	
	)	

**MOTION FOR ENTRY OF DEFAULT**

Plaintiffs in the above-styled action hereby move, pursuant to Fed. R. Civ. P. 55(a), for the entry of default against defendants Montgomery Maulers, L.L.C., Jamie Lamunyon and Wayne Lamunyon. Each of these defendants was served with a copy of the summons and complaint on January 31, 2006, and they have failed to plead or otherwise defend in response to the complaint within the time permitted by the Federal Rules of Civil Procedure. In support of this motion, plaintiffs rely on the Affidavit of Dylan C. Black, which is attached hereto. The grounds for this motion are as follows:

1. On January 31, 2006, Defendants Montgomery Maulers, L.L.C., Jamie Lamunyon and Wayne Lamunyon were duly served with a copy of the summons and complaint by process server.

2. More than twenty (20) days have passed since the said defendants were duly served. Defendants have failed to appear, plead, or otherwise defend in response to plaintiffs' complaint.

3. None of the defendants is a minor, in the military, or incompetent.

WHEREFORE, premises considered, plaintiffs respectfully request that the Clerk enter the defendants' default in this matter.

Respectfully submitted,

s/ Dylan C. Black

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Dylan C. Black (ASB-6595-K72D)

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CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

None

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

Montgomery Maulers, LLC  
1050 Eastdale Mall  
Post Office Box 230603  
Montgomery, AL 36117

Ms. Jamie LaMunyan  
Montgomery Maulers, LLC  
1050 Eastdale Mall  
Post Office Box 230603  
Montgomery, AL 36117

Mr. Wayne LaMunyan  
Montgomery Maulers, LLC  
1050 Eastdale Mall  
Post Office Box 230603  
Montgomery, AL 36117

Respectfully submitted,

s/ Dylan C. Black

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